

26308  
PATENT TRADEMARK OFFICE

PATENT

Docket No. 9222.16399 D DIV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Edwards et al.  
Serial No: 10/024,747  
Filed: December 19, 2001

Group No.: 3739  
Examiner: M. Peffley

For: Graphical User Interface for Association With An Electrode Structure Deployed in Contact With a Tissue Region

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER TO OBVIATE  
A DOUBLE PATENTING REJECTION (37 CFR 1.321(c))

Identification of Person(s) Making This Disclaimer

I, Daniel D. Ryan, Esq. (Registraion No. 29,243)

(type or print names of all inventors or assigns or name of attorney signing disclaimer)

(a) represent that I am

☐ an inventor of this invention.

☐ an assignee of this invention.

**WARNING:** "If the patent or patent application is assigned to an organization, such as a corporation, partnership, university, government agency or similar entity, and the disclaimer is signed by the assignee, the assignee must comply with § 3.73(b)." Notice of Oct. 15, 1993, 1156 O.G. 54-61 at 56.

☐ a representative authorized to sign on behalf of the assignee identified below.

**WARNING:** See the above "WARNING".

☒ the attorney of record for this invention.

**NOTE:** The rules "permit an attorney or agent of record to sign a terminal disclaimer without the need to comply with § 3.73(b)." Notice of Oct. 15, 1993, 1156 O.G. 54-61, at 56.

CERTIFICATE OF MAILING (37 CFR 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United State Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed as follows:  
Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

Date: 10 August 2005

Peggy Pechulis

Type or print name of person mailing paper

(Signature of person mailing paper)

08/15/2005 FFANAI2 00000019 062360 10024747

04 FC:2814 10.00 DA 55.00 DP

Page 1 of 4

Copied from 10024747 on 08/20/2005

**IDENTITY OF ASSIGNEE AND TITLE OF DISCLAIMANT**

*(if applicable)*

The assignee is

Name of assignee Curon Medical, Inc.

Address of assignee 46117 Landing Parkway

Fremont, California 94538-6407

Title of disclaimant authorized to sign on behalf of assignee: Attorney of Record

**EXTENT OF DISCLAIMANT'S INTEREST**

The extent of the interest in this invention that the disclaimant owns is in:

☒ the whole of this invention.

☐ a sectional interest in this invention, as follows:

**RECORDAL OF ASSIGNMENT IN PTO**

*(if applicable)*

☒ The assignment (see Attachment 1) was recorded on January 20, 2004

Reel 014904

Frame 0929

☐ Authorization for recordal of the assignment is separately attached.

☐ A separate

☐ "ASSIGNMENT (DOCUMENT) COVER SHEET" or

☐ FORM PTO 1595 is also attached.

**ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION**

*(if applicable)*

☐ Attached is a CERTIFICATE UNDER 37 CFR 3.73(b) establishing the right of the assignee to take action in this case.

**DISCLAIMER**

The terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 of:

☒ United States Patent No. 6,273,886 as presently shortened by any terminal disclaimer,

☐ Any patent granted on application number \_\_\_\_\_

is hereby disclaimed, except as provided below, and it is agreed that any patent so granted on the above-identified application shall be enforceable only for, and during, such period that the legal title to said patent shall be the same as the legal title to

☒ United States Patent No. 6,273,886

☐ Any patent granted on application number \_\_\_\_\_

this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns. Legal Title of Curon Medical, Inc. Is evidenced by an assignment recorded on November 12, 1999 Reel/Frame 010378/0678, to Conway Stuart Medical, now Curon Medical, Inc (see Attachment 2).

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of:

☒ United States Patent No. 6,273,886 , as presently shortened by any terminal disclaimer,

☐ Any patent granted on application number \_\_\_\_\_

in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued in any matter or is terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

**FEE STATUS**  
(37 CFR 1.20(d))

☐ Other than a small entity-fee \$110.00.  
☒ Small entity-fee \$55.00.

**FEE PAYMENT**

☒ Attached is a check in the sum of \$ 55.00  
☒ Charge Account 06-2360 for any fee deficiency.

☐ Charge Deposit Account 06-2360 the sum of \$ \_\_\_\_\_

A duplicate of this disclaimer is attached.

## DECLARATION

[ ] As I am not a person registered to practice before the Office, I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under SECTION 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: August 9, 2005

Reg. No.: 29,243

Telephone: (262) 783 - 1300

Customer No. 26308

  
\_\_\_\_\_  
Signature of Disclaimant

\_\_\_\_\_  
SIGNATURE OF ATTORNEY OF RECORD

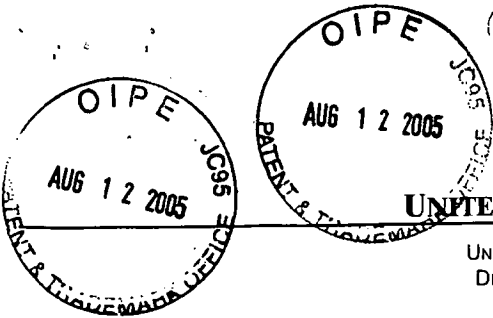
Daniel D. Ryan

(type or print name of attorney)

**RYAN KROMHOLZ & MANION, S.C.**

**PO Box 26618**

**MILWAUKEE, WISCONSIN 53226**



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

JULY 28, 2004

PTAS



\*102653891A\*

RYAN KROMHOLZ & MANION, S.C.  
DANIEL D. RYAN  
P.O. BOX 26618  
MILWAUKEE, WISCONSIN 53226-0618

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 01/20/2004

REEL/FRAME: 014904/0929  
NUMBER OF PAGES: 6

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).  
DOCKET NUMBER: 9222.16399-D

ASSIGNOR:  
EDWARDS, STUART D.

DOC DATE: 06/12/2003

ASSIGNOR:  
GAISER, JOHN

DOC DATE: 11/04/2003

ASSIGNOR:  
UTLEY, DAVID S.

DOC DATE: 10/30/2003

ASSIGNOR:  
WEST, SCOTT

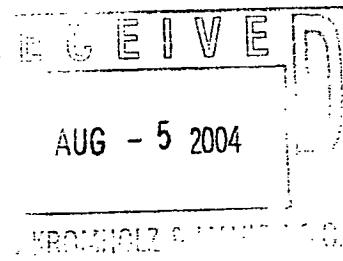
DOC DATE: 11/04/2003

ASSIGNOR:  
QIN, JAY

DOC DATE: 11/26/2003

ASSIGNOR:  
MULLER, PETER H.

DOC DATE: 08/05/2003



ASSIGNEE:

CURON MEDICAL, INC.  
46117 LANDING PARKWAY  
FREMONT, CALIFORNIA 94538-6407

SERIAL NUMBER: 10024747

FILING DATE: 12/19/2001

PATENT NUMBER:

ISSUE DATE:

TITLE: GRAPHICAL USER INTERFACE FOR ASSOCIATION WITH AN ELECTRODE  
STRUCTURE DEPLOYED IN CONTACT WITH A TISSUE REGION

SHARON LATIMER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

01-26-2004

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

102653891

To the Honorable Commissioner of Patents

attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Stuart D. Edwards, John Gaiser, David S. Utley,  
Scott West, Jay Qin, Peter H. Muller

## 2. Name and address of receiving party(ies):

Name: Curon Medical, Inc.Address: 46117 Landing Parkway

Additional names(s) of conveying party(ies)

☐ Yes ☒ No

## 3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ OtherCity: FremontState/Prov.: CACountry: USZIP: 94538-6407Execution Date: 6/12; 11/4; 10/30; 11/4; 11/26; 8/5 2003

Additional name(s) &amp; address(es)

☐ Yes ☒ No

## 4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is:

Patent Application No.

Filing date

B. Patent No.(s)

10/024,747

19 December 2001

01/22/2004 DTESSEHI 00000076 10024747

02 FC:0021

40.00 DP

Additional numbers

☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Daniel D. RyanRegistration No. 29,243Address: Ryan Kromholz & Manion, S.C.

P.O. Box 26618

City: MilwaukeeState/Prov.: WICountry: USZIP: 53226-0618

## 6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41):.....\$ 40.00☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account☐ Authorized to be charged to deposit account

## 8. Deposit account number:

06-2360

DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Daniel D. Ryan

Name of Person Signing

Signature

14 January 2004

Date

6

Total number of pages including cover sheet, attachments, and

Copied from 10024747 on 08/20/2005

## ASSIGNMENT

In consideration of One Dollar (\$1.00) and other good and valuable considerations, receipt of which is acknowledged, we, Stuart D. Edwards, John Gaiser, David S. Utley, Scott West, Jay Qin, and Peter Muller, being the lawful owners, hereby sell and assign to Curon Medical, Inc., its successors and assigns, the entire right, title and interest throughout the world in our invention entitled Graphical User Interface for Association with an Electrode Structure Deployed in Contact with a Tissue Region, as described in application Serial No. 10/024,747 filed 19 December 2001 for United States patent, and in this and any and all US and other patent applications and patents thereon, and in all rights of priority thereto.

Signed, sealed and delivered this 12th day of June, 2003.

STUART D. EDWARDS

STATE OF \_\_\_\_\_ )  
 ) SS  
COUNTY OF \_\_\_\_\_ )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2003 the above named Stuart D. Edwards, personally known to me to be the person who signed the above document, who acknowledged the same as his own free act and deed.

Notary Public \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

[SEAL]

Signed, sealed and delivered this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

JOHN GAISER

STATE OF \_\_\_\_\_ )  
 ) SS  
COUNTY OF \_\_\_\_\_ )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2003 the above named John Gaiser, personally known to me to be the person who signed the above document, who acknowledged the same as his own free act and deed.

Notary Public \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

[SEAL]



## ASSIGNMENT

In consideration of One Dollar (\$1.00) and other good and valuable considerations, receipt of which is acknowledged, we, Stuart D. Edwards, John Gaiser, David S. Utley, Scott West, Jay Qin, and Peter Muller, being the lawful owners, hereby sell and assign to Curon Medical, Inc., its successors and assigns, the entire right, title and interest throughout the world in our invention entitled Graphical User Interface for Association with an Electrode Structure Deployed in Contact with a Tissue Region, as described in application Serial No. 10/024,747 filed 19 December 2001 for United States patent, and in this and any and all US and other patent applications and patents thereon, and in all rights of priority thereto.

Signed, sealed and delivered this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

STUART D. EDWARDS

STATE OF \_\_\_\_\_ )  
 ) SS  
COUNTY OF \_\_\_\_\_ )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2003 the above named Stuart D. Edwards, personally known to me to be the person who signed the above document, who acknowledged the same as his own free act and deed.

Notary Public \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

[SEAL]

Signed, sealed and delivered this 4th day of November, 2003.

JOHN GAISER

STATE OF \_\_\_\_\_ )  
 ) SS  
COUNTY OF \_\_\_\_\_ )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2003 the above named John Gäiser, personally known to me to be the person who signed the above document, who acknowledged the same as his own free act and deed.

Notary Public \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

[SEAL]

Signed, sealed and delivered this 30th day of October, 2003.

DAVID S. UTLEY

David S. Utley

STATE OF \_\_\_\_\_ )  
 ) SS  
COUNTY OF \_\_\_\_\_ )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2003 the above named David S. Utley, personally known to me to be the person who signed the above document, who acknowledged the same as his own free act and deed.

Notary Public \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

[SEAL]

Signed, sealed and delivered this 4th day of November, 2003.

SCOTT WEST

SCOTT WEST

STATE OF \_\_\_\_\_ )  
 ) SS  
COUNTY OF \_\_\_\_\_ )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2003 the above named Scott West, personally known to me to be the person who signed the above document, who acknowledged the same as his own free act and deed.

Notary Public \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

[SEAL]

Signed, sealed and delivered this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

JAY QIN

STATE OF \_\_\_\_\_ )  
 ) SS  
COUNTY OF \_\_\_\_\_ )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2003 the above named Jay Qin, personally known to me to be the person who signed the above document, who acknowledged the same as his own free act and deed.

Notary Public \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

[SEAL]

Signed, sealed and delivered this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

\_\_\_\_\_  
David S. Utley

STATE OF \_\_\_\_\_ )  
 ) SS  
COUNTY OF \_\_\_\_\_ )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2003 the above named David S. Utley, personally known to me to be the person who signed the above document, who acknowledged the same as his own free act and deed.

Notary Public \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

[SEAL]

Signed, sealed and delivered this 4<sup>th</sup> day of November, 2003.

for H. West  
SCOTT WEST

STATE OF \_\_\_\_\_ )  
 ) SS  
COUNTY OF \_\_\_\_\_ )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2003 the above named Scott West, personally known to me to be the person who signed the above document, who acknowledged the same as his own free act and deed.

Notary Public \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

[SEAL]

Signed, sealed and delivered this 26<sup>th</sup> day of November, 2003.

JAY QIN  
JAY QIN

STATE OF \_\_\_\_\_ )  
 ) SS  
COUNTY OF \_\_\_\_\_ )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2003 the above named Jay Qin, personally known to me to be the person who signed the above document, who acknowledged the same as his own free act and deed.

Notary Public \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

[SEAL]

Signed, sealed and delivered this 5 day of AUGUST, 2003.

Peter H. Muller

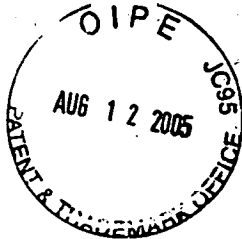
PETER MULLER

STATE OF \_\_\_\_\_ )  
 ) SS  
COUNTY OF \_\_\_\_\_ )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2003 the above named Peter Muller, personally known to me to be the person who signed the above document, who acknowledged the same as his own free act and deed.

Notary Public \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

[SEAL]



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

FEBRUARY 15, 2000

PTAS

RYAN KROMHOLZ & MANION, S.C.  
DANIEL D. RYAN  
633 WEST WISCONSIN AVENUE  
MILWAUKEE, WI 53203



\*101202341A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 11/12/1999

REEL/FRAME: 010378/0678  
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
EDWARDS, STUART

DOC DATE: 06/16/1999

ASSIGNOR:  
GAISER, JOHN

DOC DATE: 06/16/1999

ASSIGNOR:  
UTLEY, DAVID

DOC DATE: 06/16/1999

ASSIGNOR:  
WEST, SCOTT

DOC DATE: 06/18/1999

ASSIGNOR:  
QIN, JAY

DOC DATE: 06/16/1999

ASSIGNEE:  
CONWAY STUART MEDICAL, INC.  
735 PALOMAR AVENUE  
SUNNYVALE, CALIFORNIA 94086

RECEIVED

FEB 24 2000

RYAN KROMHOLZ & MANION S.C.

010378/0678 PAGE 2

SERIAL NUMBER: 09305079  
PATENT NUMBER:

FILING DATE: 05/04/1999  
ISSUE DATE:

LAWAN FLETCHER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

MRD 11/12/99

FORM PTO-1595

(Rev. 6-93)

O I P E  
REI

11-17-1999

COVER SHEET

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

Tab settings 5-9-99

101202341

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Stuart Edwards; John Gaiser, David Utley, Scott West,  
and Jay QinAdditional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

## 3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other \_\_\_\_\_

Execution Date: June 16, 1999

## 2. Name and address of receiving party(ies)

Name: Conway Stuart Medical, Inc.

Internal Address: \_\_\_\_\_

Street Address: 735 Palomar AvenueCity: Sunnyvale State: CA ZIP: 94086Additional name(s) & address(es) attached: ☐ Yes ☒ No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s)

09/305,079

11/15/1999 ASAHLE 00000013 09305079

07 FC:581

40.00 OP

Additional numbers attached? ☐ Yes ☒ No

B. Patent No.(s)

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Daniel D. Ryan

Internal Address: \_\_\_\_\_

Ryan Kromholz & Manion, S.C.

Street Address: \_\_\_\_\_

633 West Wisconsin AvenueCity Milwaukee State: WI ZIP: 53203

## 6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00☒ Enclosed☐ Authorized to be charged to deposit account

## 8. Deposit account number:

06-2360

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

## 9. Statement and signature

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*Daniel D. Ryan

Name of Person Signing

Signature

Date

11/9/99

Total number of pages including cover sheet, attachments, and document: ☐

## ASSIGNMENT

**WHEREAS**, Stuart Edwards of Portola Valley, California, John Gaiser of Mountain View, California, David Utley of San Carlos, California, Scott West of Livermore, California, and Jay Chin of Fremont, California (hereinafter referred to as ASSIGNORS), have invented and own a certain invention entitled Integrated Tissue Heating and Cooling Apparatus for which application for Letters Patent of the United States has been executed on even date herewith (attorney's Docket No. 16399-C);

**WHEREAS**, Conway Stuart Medical, Inc. of Sunnyvale, CA (hereinafter referred to as ASSIGNEE), is desirous of acquiring the entire interest in, to and under said invention and in, to and under Letters Patent or similar legal protection to be obtained therefor in the United States and in any and all foreign countries;


**NOW THEREFORE, TO ALL WHOM IT MAY CONCERN:** Be it known that in consideration of the payment of ASSIGNEE to ASSIGNORS of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration, ASSIGNORS hereby sell, assign and transfer to ASSIGNEE the full and exclusive right, title and interest to said invention in the United States and its territorial possessions and in all foreign countries and to all Letters Patent or similar legal protection in the United States and its territorial possessions and in any and all foreign countries to be obtained for said invention by said application or any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in a foreign country for the full term or terms for which the same may be granted.

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment and sale;

ASSIGNORS further covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents in foreign countries as may be known and accessible to ASSIGNORS and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof in any foreign country which may be necessary or desirable to carry out the purposes thereof.



IN WITNESS THEREOF, I have hereunto set hand and seal this 16 day of June, 1999.

  
Stuart Edwards

State of \_\_\_\_\_ )  
 )ss.  
County of \_\_\_\_\_ )

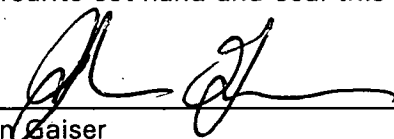
Personally appeared before me this \_\_\_\_\_ day of \_\_\_\_\_, 1999,  
the above named Stuart Edwards, to me known to be the person who executed the foregoing  
Assignment and acknowledged the same as his free act and deed.

\_\_\_\_\_  
Notary Public  
My commission expires \_\_\_\_\_

(Seal)

\* \* \* \* \*

IN WITNESS THEREOF, I have hereunto set hand and seal this 16th day of JUNE, 1999.

  
John Gaiser

State of \_\_\_\_\_ )  
 )ss.  
County of \_\_\_\_\_ )

Personally appeared before me this \_\_\_\_\_ day of \_\_\_\_\_, 1999,  
the above named John Gaiser, to me known to be the person who executed the foregoing  
Assignment and acknowledged the same as his free act and deed.

\_\_\_\_\_  
Notary Public  
My commission expires \_\_\_\_\_

(Seal)

\* \* \* \* \*

IN WITNESS THEREOF, I have hereunto set hand and seal this 16 day of  
JUNE, 1999.

David Utley  
David Utley

State of \_\_\_\_\_ )  
 )ss.  
County of \_\_\_\_\_ )

Personally appeared before me this \_\_\_\_\_ day of \_\_\_\_\_, 1999,  
the above named David Utley, to me known to be the person who executed the foregoing  
Assignment and acknowledged the same as his free act and deed.

\_\_\_\_\_  
Notary Public  
My commission expires \_\_\_\_\_

(Seal)

\* \* \* \* \*

June \_\_\_\_\_, 1999.

State of \_\_\_\_\_ )  
 ) ss.  
County of \_\_\_\_\_ )

My commission expires\_

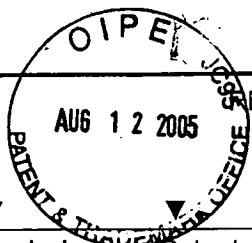
\* \* \* \* \*

June, 1999.

State of \_\_\_\_\_ )  
 )ss.  
County of \_\_\_\_\_ )

My commission expires \_\_\_\_\_

\* \* \* \* \*



RECORDATION FORM COVER SHEET

ket No.: 9222.16399-C

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

**PATENTS ONLY**

Tab settings → → → ▼ ▼ ▼ ▼ ▼

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):  
Conway- Stuart Medical, Inc.

Additional names(s) of conveying party(ies) ☐ Yes ☒ No

3. Nature of conveyance:

- ☐ Assignment ☐ Merger  
☐ Security Agreement ☒ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: March 10, 2000

2. Name and address of receiving party(ies):

Name: Curon Medical, Inc.

Internal Address: \_\_\_\_\_

Street Address: 735 Palomar Avenue

City: Sunnyvale State: CA ZIP: 94088

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s)

09/305,079

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Daniel D. Ryan

Internal Address: Ryan Kromholz & Manion, S.C.

Street Address: P.O. Box 26618

City: Brookfield, State: WI ZIP: 53226

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41):.....\$ 40.00

☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account

☐ Authorized to be charged to deposit account

8. Deposit account number:

06-2360

DO NOT USE THIS SPACE

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Daniel D. Ryan

Name of Person Signing

**ENTERED**

[Signature]  
Signature

June 1, 2001

Date

Total number of pages including coversheet, attachments, and document: 1

copied from 100-24717 on 08/20/2005

Office of the Secretary of State

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "CONWAY-STUART MEDICAL, INC.", CHANGING ITS NAME FROM "CONWAY-STUART MEDICAL, INC." TO "CURON MEDICAL, INC.", FILED IN THIS OFFICE ON THE TENTH DAY OF MARCH, A.D. 2000, AT 5 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



2745531 8100

001124433

  
Edward J. Freel, Secretary of State

AUTHENTICATION: 0312826

DATE: 03-14-00

**CERTIFICATE OF AMENDMENT OF  
AMENDED AND RESTATED  
CERTIFICATE OF INCORPORATION**

\* \* \* \* \*

Conway-Stuart Medical, Inc., a corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware,

**DOES HEREBY CERTIFY:**

**FIRST:** That the Board of Directors of said corporation, at a meeting of the Board of Directors, adopted a resolution proposing and declaring advisable the following amendment to the Amended and Restated Certificate of Incorporation of said corporation:

**RESOLVED,** that the Amended and Restated Certificate of Incorporation of Conway-Stuart Medical, Inc. be amended by changing the first Article thereof so that, as amended, said Article shall be and read as follows:

**"ONE**        The name of this corporation is Curon Medical, Inc."

**SECOND:** That in lieu of a meeting and vote of stockholders, the stockholders have given written consent to said amendment in accordance with the provisions of Section 228 of the General Corporation Law of the State of Delaware:

**THIRD:** That the aforesaid amendment was duly adopted in accordance with the applicable provisions of Sections 242 of the General Corporation Law of the State of Delaware.

[remainder of page intentionally left blank]

IN WITNESS WHEREOF, the corporation has caused this certificate to be signed by its President, this 10 day of March, 2000.

By:   
John W. Morgan, President

Changes to the Certificate of Incorporation of the Corporation as amended shall be subject to the approval of the Board of Directors.



26308

PATENT TRADEMARK OFFICE

Attorney Docket No. 9222.16399 D DIV

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Edwards et al  
Serial No: 10/024,747  
Filed: 19 December 2001  
For: Graphical User Interface for Association with an Electrode Structure Deployed in Contact with a Tissue Region

Group Art Unit: 3739  
Examiner: M Peffley

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT BEFORE MAILING DATE  
OF EITHER A FINAL ACTION OR NOTICE OF ALLOWANCE (37 CFR 1.97(c))**

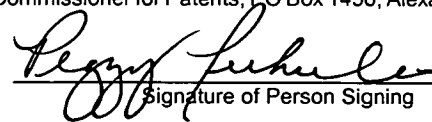
- NOTE: "An information disclosure statement shall be considered by the Office if filed ... before the mailing date of either (1) a final action under S 1.113 or (2) a notice of allowance under S 1.311, whichever occurs first, provided the statement is accompanied by either a certification as specified in paragraph (e) of this section or the fee set forth in S 1.17(p)." 37 CFR 1.97(c).
- NOTE: "If a final action or notice of allowance is mailed in an application and later withdrawn, the application will be considered as not having had a final action or notice of allowance mailed for purposes of considering an information disclosure statement." Notice of April 20, 1992 (1138 O.G. 37-41, 39).
- NOTE: "If information submitted during the period set forth in 37 CFR 1.97(c) with a certification is used in a new ground of rejection on unamended claims, the next Office action will not be made final since in this situation it is clear that applicant has submitted the information to the office promptly after it has become known and the information is being submitted prior to a final determination on patentability by the Office. However, the information submitted with a certification can be used in a new ground of rejection and the next Office action made final, [i]f the new ground of rejection was necessitated by amendment of the application by applicant. Where the information is submitted during this period with a fee, the examiner may use the information submitted, e.g., printed publication or evidence of public use, and make the next Office action final whether or not the claims have been amended, provided that no other new ground of rejection which was not necessitated by amendment to the claims is introduced by the examiner. See MPEP 706.07(a). If a new ground of rejection is introduced that is neither necessitated by an amendment to the claims nor based on the information submitted with the fee set forth in 37 CFR 1.17(p), the Office action shall not be made final." Notice of April 20, 1992 (1138 O.G. 37-41, 39).
- WARNING: "A PETITION FOR SUSPENSION OF ACTION TO ALLOW APPLICANT TIME TO SUBMIT AN INFORMATION DISCLOSURE STATEMENT WILL BE DENIED AS FAILING TO PRESENT GOOD AND SUFFICIENT REASONS, SINCE 37 CFR 1.97 PROVIDES ADEQUATE RECOURSE FOR THE TIMELY SUBMISSION OF PRIOR ART FOR CONSIDERATION BY THE EXAMINER." NOTICE OF JULY 6, 1992 (1141 O.G. 63).

**TIME OF TRANSMITTAL OF ACCOMPANYING INFORMATION  
DISCLOSURE STATEMENT**

1. The information disclosure statement transmitted herewith is being filed AFTER THREE MONTHS OF THE FILING DATE OF THIS NATIONAL APPLICATION OR THE DATE OF ENTRY OF THE NATIONAL STAGE AS SET FORTH IN S 1.491 IN AN INTERNATIONAL APPLICATION OR AFTER THE MAILING DATE OF THE FIRST OFFICE ACTION ON THE MERITS, WHICHEVER EVENT OCCURRED LAST BUT BEFORE THE MAILING DATE OF EITHER:
  - (1) a final action under § 1.113 or
  - (2) a notice of allowance under § 1.311,whichever occurs first.

**CERTIFICATE OF MAILING (37 CFR 1.8a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, with sufficient postage, in an envelope addressed as follows: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 10 August 2005

  
Signature of Person Signing

Peggy Pechulis

Type or Print Name of Person Signing

08/15/2005 FFANAI2 00000019 062360 10024747

03 FC:1806

180.00 OP



**CERTIFICATION OR FEE**

2. Accompanying this transmittal is  
(check either A or B below)
- A. ☐ a certification as specified in 37 CFR 1.97(e)  
OR
- B. ☒ the fee set forth in 37 CFR 1.17(p) for submission of an information disclosure statement under S 1.97(c). (\$180.00).

**FEE PAYMENT**

(complete this item, if applicable)

3. Applicant elects the option to pay the fee set forth in 37 CFR 1.17(p) for submission of an information disclosure statement under S 1.97(c) (\$180.00).

Fee due \$ 180.00

**METHOD OF PAYMENT OF FEE**

4. ☒ Attached is check in the amount of \$ 180.00
- ☐ Charge Account No.      in the amount of \$                       
A duplicate of this request is attached.

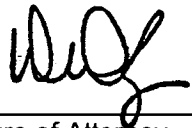
The submission of any document herewith is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima face* prior art reference against the claims of the present application.

If any additional fees are due, please charge Account No. 06-2360

Reg. No. 29,243

Telephone No.: (262) 783 - 1300

Customer No. 26308

  
\_\_\_\_\_  
Signature of Attorney

Daniel D. Ryan

Type or Print Name of Attorney of Record

**RYAN KROMHOLZ & MANION, S.C.**

**Post Office Box 26618**

**Milwaukee, Wisconsin 53226-0618**

\_\_\_\_\_  
Mailing Address of Sender

LIST OF PRIOR ART CITED BY APPLICANT (Use several sheets if necessary)	ATTY DOCKET NO. 9222.16399D DIV	SERIAL NO. 10/024,747
	APPLICANT Edwards et al.	
	FILING DATE 19 December 2001	GROUP 3739

AUG 12 2005



26308

PATENT TRADEMARK OFFICE

### U.S. PATENT DOCUMENTS

DOCUMENT NUMBER	Date	Name	Class	Subclass	Filing Date (If Appropriate)
5,330,518	7/1994	Neilson et al			
5,334,193	8/1994	Nardella			
5,454,782	10/1995	Perkins			
5,800,482	9/1998	Pomeranz et al			
5,871,469	2/1999	Eggers et al			
5,871,481	2/1999	Kannenberg et al			
6,073,052	6/2000	Zelickson et al			
6,106,460	8/2000	Panescu et al			

### FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	Class	Subclass	Translation Yes No

### OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this of with next communication to applicant.